

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JOSEPH J. BELILE,

Plaintiff,

-vs-

9:15-CV-423

DAN DOMINIE,

Defendant.

**Thomas J. McAvoy,
United States District Judge**

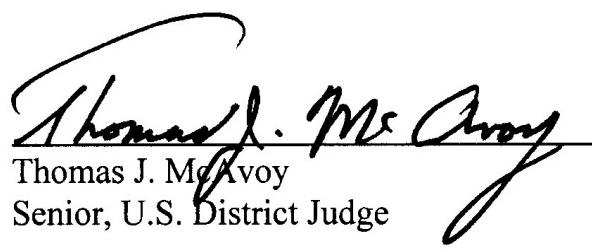
DECISION and ORDER

This matter was referred to the Hon. Andrew T. Baxter, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. No objections to the March 21, 2016 Report-Recommendation have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation and Order for the reasons stated therein.

Accordingly, the Report and Recommendation of Magistrate Judge Baxter is hereby **ADOPTED**, and:

1. Defendant's motion for summary judgment, dkt. # 19, is hereby **GRANTED**; and
2. Plaintiff's Complaint is **DISMISSED IN ITS ENTIRETY**.

IT IS SO ORDERED.



Thomas J. McAvoy
Thomas J. McAvoy
Senior, U.S. District Judge

Dated: May 20, 2016.